

NATALIE K. WIGHT, OSB #035576
United States Attorney
District of Oregon

GAVIN W. BRUCE, OSB #113384

Assistant United States Attorney

Gavin.Bruce@usdoj.gov

405 East 8th Avenue, Suite 2400

Eugene, Oregon 97401

Telephone: (541) 465-6771

CAMERON A. BELL, CSB #305872

Trial Attorney—Civil Rights Division

950 Pennsylvania Avenue, NW

Washington, DC 20530

Cameron.Bell@usdoj.gov

Telephone: (202) 802-7643

Attorneys for the United States of America

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA

Case No. 3:22-cr-00084-SI

v.

**GOVERNMENT’S AMENDED EXHIBIT
LIST**

TONY DANIEL KLEIN,

Defendant.

The United States of America hereby submits its amended exhibit list for the trial in the above-captioned matter. The United States respectfully reserves the right to amend this list and to designate additional exhibits as appropriate. Demonstrative exhibits and summary exhibits to be admitted under Rule 1006 are excluded from this list. The United States anticipates that the parties will meet and confer about any potential stipulations related to authentication or admissibility of exhibits before trial.

///

///

Dated: June 21, 2023

Respectfully submitted,

NATALIE K. WIGHT
United States Attorney

KRISTEN CLARKE
ASSISTANT ATTORNEY GENERAL

/s/ Gavin W. Bruce
GAVIN W. BRUCE
Assistant United States Attorney

/s/ Cameron A. Bell
CAMERON A. BELL
Trial Attorney
Civil Rights Division

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

///

Number	Description	Bates Range
1	Excerpted Deposition of Tony Klein (dated Nov. 20, 2019) (with redactions) (Recording and Transcript)	US00071124, US00092922 – US00092924, US00092930 – US00092933
2	Tony Klein, Code of Ethics Form (signed), Oct. 5, 2010	US00092205
3	Tony Klein, Code of Ethics Form (signed), Nov. 25, 2011	US00092248
4	Tony Klein, PREA Acknowledgment Form (signed), Dec. 9, 2014	US00092244
5	Tony Klein Training Record	US00002900 – US00002904
6	Letter to Tony Klein re: Duty Station at Home	US00059827 – US00059828
7	Nursing Renewal Application of Tony Klein (2018)	US00009019 – US00009021
8	Stipulated Order for Reprimand, In the Matter of Tony Klein, RN	US00008754 – US00008757, US00008502 – US00008504
9	PDU Training Pod #8 – Boundary Issues – Sharing Sexual Jokes (2015)	US00042877 – US00042879
10	Selected Slides from 2016 PREA Training	US00042909, US00042916, US00042957, US00042972
11	Oregon DOC Policy 20.1.3 – Code of Conduct	US00043102 – US00043108
12	Selected Slides from 2014 Boundaries Training (with redactions)	US00042562 – US00042563, US00042577, US00042585 – US00042586
13	Selected Slides from 2014 PREA Training for Health Services Staff	US00042624, US00042631, US00042634, US00042639, US00042655 – US00042656, US00042708
14	Email re: Tony Klein's Resignation from Coffee Creek	US00050634

15	Email from Cally Wolery re: Minimum Nursing Schedule	US00064874 – US00064875
16	Email from Dave Brown re: Standby Reminder	US00072752
17	Sketch of Housing Units and Camera Locations	US00085840 – US00085846
18	Excerpt from PREA Audit and Assessment Recommendations	US00058061 – US00058062
19	Ericka Sage Training Record	US00004486 – US00004491
20	Photo of [REDACTED] (AV1)	US00094982
21	Grievance Form of [REDACTED] (AV1) (dated Dec. 8, 2017)	US00029700
22	Selected Medical Records of [REDACTED] (AV1) – Progress Notes, August and September 2017	US00030629
23	Selected Medical Records of [REDACTED] (AV1) – Therapeutic Level of Care (dated Aug. 2, 2017)	US00030864
24	Selected Medical Records of [REDACTED] (AV1) – Non-Emergency Healthcare Request (dated Sept. 17, 2017)	US00030918
25	Selected Medical Records of [REDACTED] (AV1) – Physician’s Orders, August 2017	US00031046
26	Staff Report of Mark Dishion re: [REDACTED] (AV1)	US00051640
27	Misconduct Report of [REDACTED] (AV1)	US00017914
28	Photo of [REDACTED] (AV2)	US00094184
29	Selected Medical Records of [REDACTED] (AV2) – Physical Examination	US00038506 – US00038507

30	Selected Medical Records of [REDACTED] [REDACTED] (AV2) – Medical Receiving Screening/Medical History	US00038508 – US00038510
31	Selected Medical Records of [REDACTED] [REDACTED] (AV2) – Patient Informed Consent/Refusal (dated Jun. 19, 2017)	US00038733
32	Selected Medical Records of [REDACTED] [REDACTED] (AV2) – Non-Emergency Healthcare Request (dated Sept. 9, 2017)	US00038835
33	Selected Medical Records of [REDACTED] [REDACTED] (AV2) – Non-Emergency Healthcare Request (dated Sept. 3, 2017)	US00038836
34	Selected Medical Records of [REDACTED] [REDACTED] (AV2) – Medication Administration Record, September 2017	US00039117
35	Selected Medical Records of [REDACTED] [REDACTED] (AV2) – Physician’s Orders, August and September 2017	US00039146, US00039148
36	Selected Medical Records of [REDACTED] [REDACTED] (AV2) – Progress Notes, August and September 2017	US00039163 – US00039164
37	Letter from [REDACTED] (AV2) to Lori Schain	US00038839
38	Letter from [REDACTED] (AV2) to Rob Persson	US00038840
39	Letter from [REDACTED] (AV2) to Dave Brown	US00038841
40	Letter from [REDACTED] (AV2) to Steve Shelton	US00038842 – US00038844
41	Unusual Incident Report of Alana Bruns re: [REDACTED] (AV2)	US00050670 – US00050673
42	Staff Report of Sydney McKay re: [REDACTED] (AV2)	US00050674
43	SART Interview of Alana Bruns re: [REDACTED] (AV2)	US00050675 – US00050680

44	Photo of [REDACTED] (AV3)	US00094186
45	Grievance of [REDACTED] (AV3) (dated Feb. 5, 2018)	US00029716
46	Grievance of [REDACTED] (AV3) (dated March 6, 2018)	US00029719
47	Grievance of [REDACTED] (AV3) (dated March 7, 2018)	US00029734 – US00029736
48	Grievance of [REDACTED] (AV3) (dated March 7, 2018)	US00029747 – US00029749
49	Grievance of [REDACTED] (AV3) (dated March 8, 2018)	US00029742 – US00029745
50	Grievance of [REDACTED] (AV3) (dated March 9, 2018)	US00029706 – US00029708
51	Grievance of [REDACTED] (AV3) (dated March 10, 2018)	US00029738 – US00029740
52	Grievance of [REDACTED] (AV3) (dated March 12, 2018)	US00029720 – US00029721
53	Grievance of [REDACTED] (AV3) (dated March 15, 2018)	US00029730 – US00029732
54	Grievance Appeal of [REDACTED] (AV3) (dated March 30, 2018)	US00029711
55	Grievance Appeal of [REDACTED] (AV3) (dated March 30, 2018)	US00029724
56	Grievance Appeal of [REDACTED] (AV3) (dated April 7, 2018)	US00029713
57	Grievance Appeal of [REDACTED] (AV3) (dated April 7, 2018)	US00029726
58	Selected Medical Records of [REDACTED] [REDACTED] (AV3) – Parameter Flow Sheet, November and December 2017	US00036486

59	Selected Medical Records of [REDACTED] (AV3) – Progress Notes and Discharge Note Related to March 2017 Surgery	US00036514, US00036551 – US00036552
60	Staff Report of Mohamed Kabli re: [REDACTED] (AV3)	US00050640
61	Kyte to BHS Worker from [REDACTED] (AV3) (dated Feb. 13, 2018)	US00054851
62	Photo of [REDACTED] (AV4)	US00094203
63	Kyte from [REDACTED] (AV4) to Cally Wolery	US00038459
64	Program Callouts of [REDACTED] (AV4)	US00058483 – US00058487
65	Photo of [REDACTED] (AV5)	US00095048
66	Grievance of [REDACTED] (AV5) (dated May 6, 2018)	US00029798
67	Grievance of [REDACTED] (AV5) (dated August 8, 2018)	US00029801 – US00029802
68	Selected Medical Records of [REDACTED] (AV5)	US00039747
69	Photo of [REDACTED] (AV6)	US00094304
70	Selected Medical Records of [REDACTED] (AV6) – Progress Notes, May 2017	US00044721
71	Selected Medical Records of [REDACTED] (AV6) – Progress Notes, November and December 2017	US00044725
72	Selected Medical Records of [REDACTED] (AV6) – Provider Infirmary Notes (dated Oct. 24-25, 2016)	US00044727 – US00044728
73	Selected Medical Records of [REDACTED] (AV6) – Progress Notes, September and October 2016	US00044731 – US00044732

74	Selected Medical Records of [REDACTED] [REDACTED] (AV6) – Progress Notes, June 2016	US00044740
75	Selected Medical Records of [REDACTED] [REDACTED] (AV6) – Physician’s Orders, June 2017	US00044792
76	Photo of [REDACTED] (AV7)	US00094216
77	Grievance of [REDACTED] (AV7) (dated May 2, 2021)	US00089143
78	Selected Medical Records of [REDACTED] [REDACTED] (AV7)	US00088547 – US00088548
79	Selected Medical Records of [REDACTED] [REDACTED] (AV7) – Progress Notes, May and June 2016	US00088056
80	Selected Medical Records of [REDACTED] [REDACTED] (AV7) – Progress Notes, March 2017	US00088030
81	Photo of [REDACTED] (AV8)	US00094563
82	Grievance of [REDACTED] (AV8) (dated June 4, 2018)	US00029858 – US00029861
83	Grievance Letter by [REDACTED] (AV8) (dated June 4, 2018)	US00029862 – US00029866
84	Selected Medical Records of [REDACTED] [REDACTED] (AV8) – Patient Informed Consent/Refusal Form (dated July 10, 2017)	US00029999
85	Selected Medical Records of [REDACTED] [REDACTED] (AV8) – Progress Notes, July to September 2017	US00030088
86	Selected Medical Records of [REDACTED] [REDACTED] (AV8) – Patient Informed Consent/Refusal Form (dated July 17, 2017)	US00030153

87	Photo of [REDACTED] (AV9)	US00094334
88	Grievance of [REDACTED] (AV9) (dated Dec. 30, 2017)	US00029782
89	Selected Medical Records of [REDACTED] (AV9) – X-Ray Report (dated Aug. 2, 2017)	US00033821
90	Selected Medical Records of [REDACTED] (AV9) – Second X-Ray Report (dated Aug. 2, 2017)	US00033822
91	Selected Medical Records of [REDACTED] (AV9) – Progress Notes, July 2017	US00034124
92	Kyte of [REDACTED] (AV9)	US00050627
93	Staff Report of Marylou Ward re: [REDACTED] (AV9)	US00050628
94	Email from Marylou Ward re: [REDACTED] (AV9)	US00051539
95	Photo of [REDACTED] (AV10)	US00095077
96	Selected Medical Records of [REDACTED] (AV10) – Physician’s Orders, August 2017	US00044514 – US00044515
97	Selected Medical Records of [REDACTED] (AV10) – Physician’s Orders, April 2017	US00044516
98	Photo of [REDACTED] (AV11)	US00094519
99	Grievance of [REDACTED] (AV11) re: 2017 incident (dated Jan. 25, 2018)	US00029837
100	Grievance of [REDACTED] (AV11) re: 2013 incident (dated Jan. 25 2018)	US00029844
101	Selected Medical Records of [REDACTED] (AV11) – Progress Notes, July and September 2017	US00040043, US00040048

102	Selected Medical Records of [REDACTED] [REDACTED] (AV11) – Progress Notes, June 2013	US00040055
103	Photo of [REDACTED] (AV13)	US00094163
104	Programming Records for [REDACTED] [REDACTED] (AV13)	US00087627 – US00087629
105	Photo of [REDACTED] (AV14)	US00095053
106	Grievance of [REDACTED] (AV14) (dated March 16, 2018)	US00029804
107	Grievance Appeal of [REDACTED] [REDACTED] (AV14) (dated March 30, 2018)	US00029807
108	Infirmity Schedule of [REDACTED] [REDACTED] (AV14)	US00066018 – US00066052
109	Programming Record for [REDACTED] [REDACTED] (AV14)	US00002352
110	Photo of [REDACTED] (AV15)	US00095095
111	Photo of [REDACTED] (AV16)	US00095921
112	Photo of [REDACTED] (AV17)	US00094954
113	Grievance of [REDACTED] (AV17) (dated May 3, 2018)	US00029769 – US00029770
114	Selected Medical Records of [REDACTED] [REDACTED] (AV17) –Physician’s Orders, February 2016	US00035784
115	Selected Medical Records of [REDACTED] [REDACTED] (AV17) – Progress Notes, January and February 2016	US00036031, US00036030
116	Transcript of Phone Call of [REDACTED] [REDACTED] (AV17)	US00050622 – US00050625
117	Photo of [REDACTED] (AV18)	US00094996

118	Grievance of [REDACTED] (AV18) (dated Dec. 15, 2017)	US00029750
119	Selected Medical Records of [REDACTED] [REDACTED] (AV18) – Parameter Flow Sheets (September 2017) and Progress Notes (September and October 2017)	US00036276, US00036278, US00036424, US00036439
120	Selected Medical Records of [REDACTED] [REDACTED] (AV18) – Progress Notes, September and October 2017	US00065824, US00065827, US00065829
121	Email from Amanda Van Arcken to Chad Drew re: [REDACTED] (AV18)	US00050626
122	PREA Allegation Checklist re: [REDACTED] [REDACTED] (AV18)	US00051164 – US00051165
123	Photo of [REDACTED] (AV19)	US00093893
124	Photo of [REDACTED] (AV20)	US00095016
125	Journal of [REDACTED] (AV20)	Physical Evidence in FBI Custody
126	Selected Photographs of Journal of [REDACTED] (AV20)	US00095056 – US00095069
127	Photo of [REDACTED] (AV21)	US00094972
128	Programming Record for [REDACTED] [REDACTED] (AV21)	US00002365
129	Photos of Minimum Medical - Triage Exam Room (Taken by Lindsay Noack)	US00066350 – US00066351
130	Photos of Minimum Medical – Triage Exam Room (Taken by Lindsay Noack)	US00066362 – US00066365
131	Photo of Minimum Medical Provider Exam Room (Taken by Lindsay Noack)	US00066352
132	Photos of Minimum Medical Provider Exam Room (Taken by Lindsay Noack)	US00066366 – US00066369
133	Photo of G/H Triage Room (Taken by Lindsay Noack)	US00066353

134	Photos of G/H Triage Room (Taken by Lindsay Noack)	US00066360 – US00066361
135	Photos of Medium Medical Clothing Room (Taken by Lindsay Noack)	US00066354 – US00066358
136	Photo of Janitor's Closet (Taken by FBI, 2019)	US00091951
137	Photo of View from Inside Unit Triage Room (Taken by FBI, 2019)	US00091959
138	Photo of Medium Medical Janitor's Closet (Taken by FBI, 2019)	US00091960
139	Photo of G/H Triage Room (Taken by FBI, 2019)	US00091998
140	Photo of Medium Medical Clothing Room (Taken by FBI, 2019)	US00092007
141	Photo of Health Services/Infirmary Cart (Taken by FBI, 2019)	US00092010
142	Photo of Medium Medical Dialysis Room (Taken by FBI, 2019)	US00092020
143	Photos of Minimum (Exterior) (Taken by FBI, 2023)	US00095211, US00095213, US00095215
144	Photo of Minimum Medical (Entryway from Outside) (Taken by FBI, 2023)	US00095239
145	Photos of Minimum Medical (Entryway/Foyer) (Taken by FBI, 2023)	US00095243, US00095245
146	Photo of Minimum Medical Unit (Taken by FBI, 2023)	US00095251
147	Photos of Minimum Medical Triage Exam Room (Taken by FBI, 2023)	US00095253, US00095275, US00095287, US00095289
148	Photos of Minimum Medical Triage Exam Room (Taken by FBI, 2023)	US00095257, US00095305
149	Photos of Minimum Medical Area (Taken by FBI, 2023)	US00095311, US00095315, US00095363

150	Photos of View from Minimum Medical Nurse's Station (Taken by FBI, 2023)	US00095375, US00095367
151	Photo of Minimum Medical Nurse's Station (Taken by FBI, 2023)	US00095371
152	Photo of View to Minimum Medication Room from Triage Room (Taken by FBI, 2023)	US00095381
153	Photos of Minimum Medication Room (Taken by FBI, 2023)	US00095387, US00095397, US00095399, US00095405
154	Photo of G/H Triage Room (Taken by FBI, 2023)	US00095427
155	Photos of G/H Triage Room (Interior) (Taken by FBI, 2023)	US00095431, US00095435, US00095429
156	Photo of G/H Triage Room and Staff Bathroom (Taken by FBI, 2023)	US00095439
157	Photo of Kyte Box on Housing Unit (Taken by FBI, 2023)	US00095455
158	Photo of Medium Health Services (Entryway) (Taken by FBI, 2023)	US00095517
159	Photos of Medium Janitor's Closet Near Dialysis Room (Taken by FBI, 2023)	US00095551, US00095553, US00095559
160	Photos of Medium Dialysis Room (Taken by FBI, 2023)	US00095563, US00095565, US00097767, US00095571, US00095573, US00095575
161	Photos of Hallway in Medium Medical (Taken by FBI, 2023)	US00095595, US00095597
162	Photos of Medium Medical Nurse's Station (Taken by FBI, 2023)	US00095601, US00095607
163	Photos of Medium Medication Room (Taken by FBI, 2023)	US00095620, US00095630, US00095618, US00095622, US00095632, US00095624, US00095616
164	Photos of Medium Staff Break Room and Bathroom (Taken by FBI, 2023)	US00095650, US00095652, US00095654, US00095662

165	Photos of Medium Staff Bathroom (Taken by FBI, 2023)	US00095680, US00095702, US00095704
166	Photos of Medium Medical Provider's Exam Room (Taken by FBI, 2023)	US00095738, US00095732
167	Photo of Medium Medical Hallway (Taken by FBI, 2023)	US00095740
168	Photos of Medium Infirmary Hallway (Taken by FBI, 2023)	US00095748, US00095752, US00095754
169	Photos of Medium Infirmary Janitor's Closet (Taken by FBI, 2023)	US00095756, US00095780, US00095764, US00095768, US00095770, US00095772, US00095778
170	Photo of Medium Infirmary Officer's Desk (Taken by FBI, 2023)	US00095760
171	Photos of Medium Infirmary "Ante Room" – Foyer Between Inmate Rooms (Taken by FBI, 2023)	US00095784, US00095794, US00095796, US00095792, US00095788
172	Photos of Medium Infirmary Medical Room (Storage Closet) (Taken by FBI, 2023)	US00095798, US00095800, US00095802, US000957804, US00095806
173	Photos of Medium Medical Clothing Room (Taken by FBI, 2023)	US00095810, US00095822, US00095820, US00095816, US00095830
174	Photos of View from Medium Medical Clothing Room (Taken by FBI, 2023)	US00095832, US00095834
175	Photos of Medium Medical Storage Closet (Taken by FBI, 2023)	US00095856, US00095858, US00095860, US000958566
176	Photos of Segregation Medical Area (Taken by FBI, 2023)	US00095903, US00095881, US00095901
177	Map of Medium Health Services Infirmary	KLEIN-SDT-ODOC-000150
178	Map of Minimum Building C/D - Medical and Programs	KLEIN-SDT-ODOC-000152

179	Selected Mental Health Records of [REDACTED] (AV1)	US00095937 - US00095939
-----	---	-------------------------